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CENTRAL FAX CENTERPractitioner's Docket No. 2003DE428

PATENT JUN 13 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Dirk LEINWEBER

Application No.: 10 / 559,719

Group No.:

Filed: 12/5/2005

Examiner:

For:

ALKOXYLATED, CROSS-LINKED POLYGLYCEROLS AND USE THEREOF AS  
BIODEGRADABLE DEMULSIFIERMail Stop ~~6000~~ PCT

Commissioner for Patents, Office of PCT Legal Administration

P.O. Box 1450

Alexandria, VA 22313-1450

## PETITION FOR CHANGE IN NAME OF INVENTOR

Under 37 CFR 1.182

NOTE: "In cases where an inventor's name has been changed after the application has been filed and the inventor desires to change his or her name on the application, he or she must submit a petition under 37 CFR 1.182. The petition should be directed to the attention of the Office of Petitions. The petition must include an appropriate petition fee and an affidavit signed with both names and setting forth the procedure whereby the change of name was effected, or a certified copy of the court order." M.P.E.P., § 805.04(c), 7th Edition.

1. The name of the inventor HEIDI GRUNDNER  
HEIDI RAUSCH  
has been changed to \_\_\_\_\_  
and it is hereby petitioned that the change be made on the records of the PTO for this application.

## CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*

(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

## MAILING

☐ deposited with the United States Postal Service in an envelope addressed to Commissioner for Patents, P.O.  
Box 1450, Alexandria, VA 22313-1450

37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10 \*

☐ with sufficient postage as first class mail.

☐ as "Express Mail Post Office to Addressee"

Mailing Label No. \_\_\_\_\_ (mandatory)

## TRANSMISSION

☒ facsimile transmitted to the Patent and Trademark Office, (571) 273-8300

Date:

6-13-06

Signature

Vicki L. Sgro

(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.8(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

(Petition for Change in Name of Inventor [9-59]—page 1 of 2)

06/16/2006 MKAYPAGH 00000130 032060 10559719

01 FC:1617

130.00 DA

06/14/2006 NHGUYEN1 00000018 032060 10559719

02 FC:1462

400.00 DA

BEST AVAILABLE COPY

Application No. 10/559,719 Filed 12/5/2005 Atty Docket No. 2003DE428

2. An affidavit is attached which is signed by both names of the inventor and which
- ☒ sets forth the procedure by which the change of name was effected, or
- ☐ a certified copy of the court order.

## 3. Fee


The fee required by 37 C.F.R. § 1.17(f) is to be paid as follows:

- ☐ Enclosed is a check for \$400.00.
- ☐ Charge Account \_\_\_\_\_ for any fee deficiency.
- ☒ Charge Account 03-2060 the sum of \$400.00.

Reg. No.: 36,277

Tel. No.: ( 704 ) 331-7156

Customer No.: 25255

  
SIGNATURE OF PRACTITIONER  
Richard P. Silverman  
(type or print name of practitioner)  
Clariant Corporation  
P.O. Address  
4000 Monroe Road  
Charlotte, NC 28205

(Petition for Change in Name of Inventor [8-58]-page 2 of 2)

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JUN 13 2006

Application No. 10/559,719 Filed 12/5/2005 Atty Docket No. 2003DE428

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

AFFIDAVIT IN SUPPORT OF PETITION TO  
CHANGE NAME OF INVENTOR

This affidavit is made in support of the accompanying PETITION TO CHANGE NAME OF INVENTOR.

This affidavit is signed by the inventor by his/her prior name and is also signed by the inventor by his/her present (new) name.

☒ The procedure by which the name change was effected was:

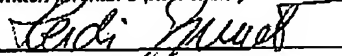
Name Change as a result of marriage.

or

☐ A certified copy of the court order is attached.

HEIDI GRUNDNER

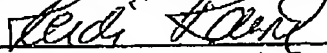
(typewritten inventor's prior name)



Signature of inventor (prior name)

HEIDI RAUSCH

(typewritten inventor's present (new) name)



Signature of inventor — present (new) name

(Affidavit in Support of Petition to Change Name of Inventor [9-80]—page 1 of 1)


CENTRAL FAX CENTER

JUN 13 2006

PTO/SB/22 (12-04)

Approved for use through 07/31/2006. OMB 0851-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b> <b>FY 2005</b> (Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)		Docket Number (Optional) <b>2003DE428</b>	
Application Number <b>10/559,719</b>		Filed <b>12/05/2005</b>	
For <b>Alkoxyated, Crosslinked Polyglycerols And Use Thereof As Boidegradable Demulsifier</b>			
Art Unit		Examiner	
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application. The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):			
		<u>Fee</u>	<u>Small Entity Fee</u>
<input checked="" type="checkbox"/>	One month (37 CFR 1.17(a)(1))	\$120	\$60 \$ <u>120</u>
<input type="checkbox"/>	Two months (37 CFR 1.17(a)(2))	\$450	\$225 \$ _____
<input type="checkbox"/>	Three months (37 CFR 1.17(a)(3))	\$1020	\$510 \$ _____
<input type="checkbox"/>	Four months (37 CFR 1.17(a)(4))	\$1590	\$795 \$ _____
<input type="checkbox"/>	Five months (37 CFR 1.17(a)(5))	\$2160	\$1080 \$ _____
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.			
<input type="checkbox"/> A check in the amount of the fee is enclosed.			
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.			
<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.			
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>03-2060</u> . I have enclosed a duplicate copy of this sheet.			
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.			
		06/14/2006 NHUYEN1 00000018 032060 10559719 01 FC:1251 120.00 DA	
I am the <input type="checkbox"/> applicant/inventor.			
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/06).			
<input checked="" type="checkbox"/> attorney or agent of record. Registration Number <u>36,277</u>			
<input type="checkbox"/> attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____			
 Signature		<u>6/13/2006</u> Date	
<u>Richard P. Silverman</u> Typed or printed name		<u>(704) 331-7156</u> Telephone Number	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.			
<input checked="" type="checkbox"/> Total of <u>2</u> forms are submitted.			

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

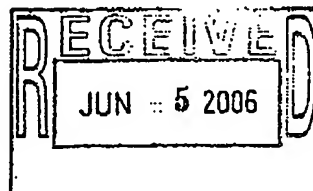
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



30 MAY 2006 2 mo. - Response July 30, 2006  
UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

Richard P. Silverman  
Clariant Corporation  
Intellectual Property Law Department  
4000 Monroe Road  
Charlotte, NC 28205



In re Application of  
Leinweber, et al.  
Application No.: 10/559,719  
PCT No.: PCT/EP04/05587  
Int. Filing Date: 25 May 2004  
Attorney's Docket No.: 2003DE428  
For: ALKOXYLATED, CROSS-LINKED  
POLYGLYCEROLS AND USE THEREOF AS  
BIODEGRADABLE DEMULSIFIER

DECISION

This application comes before the PCT Legal Office for matters arising under 35 U.S.C. 371.

#### BACKGROUND

On 25 May 2004, applicants filed international application PCT/EP04/05587, which claimed priority of an earlier German application filed 04 June 2003. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 16 December 2004. Accordingly, the thirty-month period for paying the basic national fee in the United States expired at midnight on 05 December 2005 (04 December 2005 fell on a Sunday, so applicants had until the next business day).

On 05 December 2005, applicant filed a transmittal letter for entry into the national stage in the United States which was accompanied by, inter alia, a translation of the application, a declaration and the requisite basic national fee as required by 35 U.S.C. 371(c). This application was assigned U.S. serial number 10/559,719.

#### DISCUSSION

A review of the application file reveals that the family name of one of the applicants is listed in the international application as "Grundner" while the family name is listed in the declaration as "Rausch." In that this is clearly more than a mere typographical error or phonetic misspelling of applicant's given name, a proper petition under 37 CFR 1.182 is required in order

U.S. Serial No.: 10/559,719

Page 2

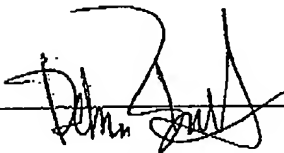
to resolve this matter. Such a petition must be accompanied by the requisite petition fee of \$400 as well as statements from the inventor and any other person having firsthand knowledge of the error. These statements must set forth the specific circumstances as to how and when the error was made and discovered, and must also set forth that the mistake was an inadvertent error without deceptive intent.

### CONCLUSION

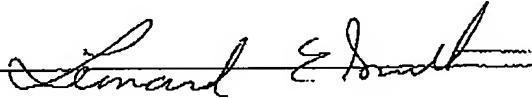
A proper response must be filed within TWO (2) MONTHS from the mail date of this decision. Any reconsideration request should include a cover letter entitled "Petition Under 37 CFR 1.182," and must include the requisite petition fee and an acceptable explanation of the facts as discussed above. Failure to file a proper response in a timely manner will result in ABANDONMENT of the application.

Extensions of time may be obtained under 37 CFR 1.136(a).

Any further correspondence with respect to this matter should be addressed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



Debra Brittingham  
PCT Special Programs Examiner  
Office of PCT Legal Administration



Leonard Smith  
PCT Legal Examiner  
Office of PCT Legal Administration

Tel: (571) 272-3280  
Fax: (571) 273-0459

2006/JUN/13/TUE 04:04 PM IP LEGAL - CLARIANT

FAX No. 704 331 7707

P. 001

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JUN 13 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Dirk LEINWEBER et al.

Attorney Docket: 2003DE428

Serial No.: 10/559,719

Filed: December 5, 2005

For: Alkoxylated, Cross-Linked Polyglycerols And Use Thereof As  
Biodegradable DemulsifierCERTIFICATION OF FACSIMILE TRANSMISSIONMail Stop: Petitions  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that the following papers are being facsimile transmitted to the Patent and Trademark Office (Fax No.: 1-571-273-8300) on the date shown below:

1. Petition Under 37 CFR 1.182 (2 pages)
2. Affidavit in Support of Petition Under 37 CFR 1.182 (1 page)
3. Copy of Decision dated 30 May 2006 (2 page)
4. Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) dated 04/12/2006 (2 pages)
5. PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) (with duplicate 2 pages)

Total Pages including Certification of Transmission: 10Vicki L. Sgro: 

Date: June 13, 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

*Loe-Neil*

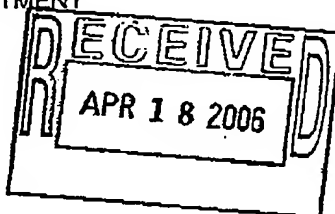
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/559,719	Dirk Leinweber	2003DE428

25255  
CLARIANT CORPORATION  
INTELLECTUAL PROPERTY DEPARTMENT  
4000 MONROE ROAD  
CHARLOTTE, NC 28205

INTERNATIONAL APPLICATION NO.
PCT/EP04/05587

LA. FILING DATE	PRIORITY DATE
05/25/2004	06/04/2003



CONFIRMATION NO. 3847

371 FORMALITIES LETTER

\*OC000000018507538\*

6-12-06

Date Mailed: 04/12/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/05/2005
- English Translation of the IA filed on 12/05/2005
- Copy of the International Search Report filed on 12/05/2005
- Preliminary Amendments filed on 12/05/2005
- Oath or Declaration filed on 12/05/2005
- Request for Immediate Examination filed on 12/05/2005
- U.S. Basic National Fees filed on 12/05/2005
- Assignment filed on 12/05/2005
- Priority Documents filed on 12/05/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - ✗ The fourth inventor's last name is different than on the International Application.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:



Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN M WILLIAMS

Telephone: (703) 308-9140 EXT 213

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/559,719	PCT/EP04/05587	2003DE428

FORM PCT/DO/EO/805 (371 Formalities Notice)